



ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು ವೀರೇಷ ರಾಜ್ಯ ಪತ್ರಿಕೆ

ಭಾಗ - ೪	ಬೆಂಗಳೂರು, ಬುಧವಾರ, ೧೮, ಡಿಸೆಂಬರ್, ೨೦೨೪ (ಮಾರ್ಗಾಶ್ವತಿರ, ೨೭, ಶಕವರ್ಷ, ೧೯೪೬)	ನಂ. ೫೧೬
Part - IVA	BENGALURU, WEDNESDAY, 18, DECEMBER, 2024 (MARGASHIRA, 27, SHAKAVARSHA, 1946)	No. 516

GOVERNMENT OF KARNATAKA

No. FEE 526 EPC 2024 (Part-1)

Karnataka Government Secretariat
M.S Building
Bangalore, dated: 18.12.2024.

NOTIFICATION

In exercise of the powers conferred by clause (a) and (e) of sub-section(2) and sub-section (1) read with clause (p) of sub-section (2) of section 64 of the Water (Prevention and Control of Pollution) Act, 1974 (6 of 1974), the State Government after consultation with the Karnataka State Pollution Control Board and in supersession of the guidelines issued in State Government vide Order No: FEE 231 EPC 2017, dated 31.08.2023 read with Corrigendum No: FEE 11 EPC 2024, dated:17.08.2024, hereby makes the following rules, namely:-

RULES

1. Title and commencement:- (1) These rules may be called the Karnataka State Pollution Control Board (Manner of Nomination and other Terms and Conditions of Service of Chairman and Members and appointment of Member Secretary) Rules, 2024.

(2) They shall come into force on the date of their publications in the Official Gazette.

2. Definitions:- (1) In these rules unless the context otherwise requires:-

- (a) "Act" means the Water (Prevention and Control of Pollution) Act, 1974 (Central Act 6 of 1974);
- (b) "Chairman" means the Chairman of the Karnataka State Pollution Control Board;

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- (c) "Central Government" means the Government of India;
- (d) "Member" means the Member of the State Board and includes the Chairman thereof;
- (e) "Member-Secretary" means the Member-Secretary of State Board;
- (f) "Selection Committee" means the Search-cum-Selection Committee constituted under rule 3;
- (g) "State Board" means the Karnataka State Pollution Control Board constituted under section 4 of the Act; and
- (h) "State Government" means the Government of Karnataka.

(2) The words and expressions used and not defined in these rules but defined in the Act made thereunder, shall have the same meanings respectively assigned to them in the Act.

3. Manner of nomination of Chairman:- (1)The nomination of the Chairman shall be made by the State Government on the recommendations of a Selection Committee consisting of the following members, namely:-

i)	The Chief Secretary to State Government;	-Ex officio Chairperson
ii)	The Additional Chief Secretary or the Principal Secretary or the Secretary to State Government, Department of Personnel and Administrative Reforms;	- Ex-Officio Member
iii)	a representative of the Central Government in the Ministry of Environment, Forest and Climate Change not below the rank of Director to the Government of India;	- Ex-Officio Member
iv)	an expert in the field of environment to be nominated by the State Government; and	-Member
v)	The Additional Chief Secretary or the Principal Secretary or the Secretary to State Government, Department of Forest, Ecology and Environment (Ecology and Environment).	Ex-officio Member Secretary

(2) No selection of Chairman shall be invalid merely by reason of any vacancy or absence in the committee.

(3) The State Government shall, within one month from the date of occurrence of any vacancy by reason of death, resignation or removal and six months before any anticipated vacancy, make a reference to the Selection Committee for filling up of the post.

(4) The Selection Committee shall determine its procedure for making its recommendations.

(5) The Selection Committee shall make its recommendations and submit a panel of three suitable persons in alphabetical order to the State Government.

(6) The Selection Committee shall after inviting the applications from the candidates having special knowledge or practical experience as specified in section 4 of the Act through open advertisement published in at least three national newspapers, one of which shall be in Kannada

language, recommend a panel of three persons for selection to the post of Chairman, within three months from the date on which the reference is made to the Committee.

(7) The State Government may nominate the Chairman from amongst the panel of persons recommended by the Selection Committee.

(8) Before recommending any person for appointment as a Chairman, the Selection Committee shall satisfy itself that such person does not have any financial or other interests, which is likely to affect prejudicially his functions as a Chairman.

(9) Any person holding the office of the Chairman on the date of commencement of these rules shall continue to hold such office till expiry of his term.

(10) The Selection Committee shall consider the candidates having special knowledge or practical experience in respect of matters relating to environmental protection or a person having knowledge and experience in administering institutions dealing with the matters aforesaid, and make recommendation to the state Government accordingly.

4. Pay and allowances of the Chairman.- The Chairman shall be entitled to receive a pay and other allowances as admissible to a Central Government officer holding a Group A post carrying Pay in Level-17 in the pay matrix of the Seventh Central Pay Commission and changeable from time to time.

5. Terms and conditions of service of the Chairman.- (1) The Chairman shall be a person who shall not have any financial or other interests as are likely to affect prejudicially his functions as a Chairman of the State Board.

(2) In case of a person as a Chairman, who retired from service under the Central Government or the State Government and he receives pension, if applicable, his pay as Chairman shall be reduced by gross amount of pension received by him

(3) The Chairman ceasing to hold that office shall be ineligible for employment under the Central Government or any State Government for a period of two years from the date he ceases to hold such office.

(4) The Chairman shall not, for a period of two years from the date on which he ceases to hold office, accept any employment, except in the field of academics.

(5) If the Chairman is not able to perform his duties temporarily due to illness, leave or such other causes, the State Government may assign the charge of Chairman to any member nominated under clause (b) of sub-section (2) of section 4 of the Act.

(6) Any vacancy caused by resignation, removal or otherwise of the Chairman shall be filled by fresh nomination in accordance with these rules. However, till such period, the Additional Chief Secretary of the Forest, Ecology and Environment Department or the Principal Secretary to Government Forest, Ecology and Environment Department (Ecology and Environment) or any other suitable officer of Additional Chief Secretary Rank in the State Government shall be the Chairman of the Board for the remaining period not exceeding six months.

(7) If remaining period is more than six months, such pro-tem arrangement shall be continued until a new Chairman duly nominated by the State Government enters upon the office, for reasons to be recorded in writing.

(8) The other conditions of service of a Chairman with respect to which no express provision has been made in these rules, shall be such as are admissible to a Central Government officer holding a Group A post carrying Pay in Level-17 in the pay matrix of the Seventh Central Pay Commission.

6. Disqualification. No person,-

- (a) who has entered into or contracted a marriage with a person having a spouse living, or
- (b) having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the said post:

Provided that the State Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing exempt any person from carrying out this rule.

7. Tenure of Chairman.- (1) The Chairman shall hold office for a term not exceeding three years from the date on which he enters upon office or until he attains the age of sixty-five years, whichever is earlier.

(2) Any person nominated as Chairman shall be eligible for nomination as Chairman for another term in accordance with these rules, subject to maximum age of sixty-five years.

8. Removal of Chairman.- (1) The State Government may, remove from office the Chairman on the following grounds of misconduct or incapacity, who has,

- (a) been adjudged as an insolvent, or
- (b) been convicted of an offence which, in the opinion of the State Government, involves moral turpitude; or
- (c) become physically or mentally incapable of acting as the chairman, or
- (d) acquired such financial or other interest as is likely to affect prejudicially his functions as the chairman; or
- (e) so abused his position as to render his continuance in office prejudicial to the public.

(2) The Chairman shall not be removed under clauses (b) to (e) of sub-rule (1), unless he has been given a reasonable opportunity of being heard in the matter.

9. Appointment of Member Secretary.- The State Government shall depute an officer belonging to All India Service of Senior or Super time Scale to the post of Member Secretary having degree in engineering or a Master's degree in science or an equivalent degree or allied sciences from an University established by law or recognized Institute, with prior experience in dealing with matters connected to pollution control.

10. Nomination of Members.- (1) The State Government shall nominate the members to the State Board who represent or possess special knowledge, practical experience and a bachelor degree in Agriculture, Fishery, Forestry, Industry, Trade, Engineering or any other

subject related to Natural Resource Management and Control of Pollution in the following manner:

- i) Five officials of such departments of the State Government as notified by the Government from time to time dealing with issues directly related to control of pollution and other environment related issues such as Setting up and Management of Industries. Transport, Waste Management, Health of the general public, Coordinating policy issues related to pollution control and environment protection to represent the State Government,
- ii) Five persons representing the members of the Local Authorities in the State. The representation shall be from cities on the basis of total population and facing challenges related to industrialization, sewage treatment, solid waste management and such other environmental related issues, Representation shall also be provided to the Panchayath Raj Institutions dealing with Environment related issues in the rural areas of the State. While providing representation to the Panchayath Raj Institutions care shall be taken to see that all the District or Region get represented in rotation periodically, and
- iii) Two persons to represent the companies or corporations owned, controlled or managed by the State Government dealing with supply of water, waste water treatment, solid waste management and air emissions. While nominating such persons care shall also be considered the representation of services in both urban and rural areas,

(2) The State Government shall nominate three Non-Official members to represent the interest of Agriculture, Fisheries or Industry or Trade or any other interest which, in the opinion of the State Government ought to be represented.

11. Standard Operating Procedures.- Subject to provisions of the Act and these rules, the State Government may issue Standard Operating Procedures for smooth implementation of these rules, if required.

By order and in the name of the
Governor of Karnataka

(B.N Praveen)
Under Secretary to Government,
Forest, Ecology and Environment Department
(Ecology and Environment)